

application without further improper actions by the Examiner Applicants will attempt to elect Claims 11-12, 17, 33, 37, and 85-86 with traverse to satisfy the restriction requirement.

Applicants submit that the election of Claims 11-12, 17, 33, 37, and 85-86 is only being made to preserve pendency of Applicants' application until a decision on the petition of the restriction requirement submitted on April 6, 2001 can be determined. Therefore, Applicants are requesting the Examiner to delay any action on this contingent election with traverse of Claims 11-12, 17, 33, 37, and 85-86, and to consider that this contingent election of Claims 11-12, 17, 33, 37, and 85-86 as fully responsive to the Office Action of March 2, 2001.

Furthermore, Applicants realize that the filing of the restriction requirement petition does not stay a response to an Office Action. However, Applicants submit that the election with traverse of Claims 11-12, 17, 33, 37, and 85-86 should by no means bind Applicants to prosecute these claims on the merits until a decision has been made on Applicants' petition of the erroneous restriction requirement. Applicants are seeking a favorable decision by the Commissioner for Patents to reverse the restriction requirement and to instruct the Examiner to advance the prosecution of Applicants Claims 11-12, 17, 20, 32-33, 37-39, 43-44, and 82-89 without further delay or increased expenses in the prosecution of the above-identified application.

Respectfully submitted,  
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May 30, 2001  
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